

## **CHAPTER 8 SAFETY RESPONSIBILITY**

Sects.

800	General Provisions
801	Fees for Records
802	Service of Notices or Orders
803	Accident Reports
804	Suspension of Registration and License: Unsatisfied Judgment
805	Proof of Financial Responsibility
806	(REPEALED)
807	Self-Insurers

### **800 GENERAL PROVISIONS**

- 800.1 The rules contained in this chapter shall govern the following procedures:
- (a) (REPEALED)
  - (b) Verification of insurance;
  - (c) Suspension of operating privileges arising out of motor vehicle accidents occurring in the District of Columbia and elsewhere;
  - (d) Filing of proof of financial responsibility for the future; and
  - (e) Qualification of applicants for self-insurance certificates.
- 800.2 For the purposes of this chapter, “Act” shall mean the Motor Vehicle Safety Responsibility Act of the District of Columbia (D.C. Code § § 40-401 et seq. (1990 Repl. Vol.)).
- 800.3 Appeals from any final decision of the Director pursuant to this chapter shall be taken to the Traffic Adjudication Appeals Board.
- 800.4 The Director, upon written request and upon payment of a fee of two dollars (\$ 2.00) shall furnish to any person the certified name of the insurance company and the certified policy number of the motor vehicle insurance of any owner or operator of a motor vehicle registered in the District of Columbia or issued a reciprocity sticker.
- 800.5 Except for § § 800.4, 801, 803 and 807, the provisions of this chapter shall not apply to the owner of any motor vehicle who has complied with the requirements of the No-Fault Insurance Act as amended, or the Act approved June 29, 1938 (52 Stat. 1233, D.C. Code § 44-302 (1990 Repl. Vol.)).

800.6 Any person who violates any provision of this chapter shall be subject to the penalty prescribed by the Act.

## **801 FEES FOR RECORDS**

801.1 A certified or uncertified abstract of the operating record of any person who has become subject to the Act shall be furnished to any person upon written request to the Director, accompanied by the fee specified in this section.

801.2 A certified abstract of an operating record shall contain the following:

- (a) An enumeration of the motor vehicle accidents in which the person has been involved which have been reported to the Department;
- (b) A record of convictions for violations of motor vehicle laws, rules, or regulations; and
- (c) A record of any vehicles registered in the name of the person.

801.3 The fee for a certified abstract shall be seven dollars (\$ 7.00).

801.4 An uncertified abstract of an operating record shall not list any vehicles registered in the name of the person, but shall contain the following:

- (a) An enumeration of the motor vehicle accidents in which the person has been involved which have been reported to the Department; and
- (b) Any record of convictions for violations of motor vehicle laws, rules and regulations.

801.5 The fee for an uncertified abstract depicting less than ten (10) years is seven dollars (\$7) and the for each uncertified abstract depicting ten (10) or more years is thirteen dollars (\$13).

801.6 The annual fee for electronic access to Department of Motor Vehicle driver records shall be one hundred dollars (\$100).

801.7 The annual fee for periodic receipt of electronic files containing customers' registration-related information shall be one thousand two hundred dollars (\$1,200).

801.8 The fees in this section may be modified by the Director of the Department of Motor Vehicles to cover administrative costs.

801.9 Persons seeking information under §§ 801.6 or 801.7 shall apply pursuant to procedures established by the Director.

801.10 A person seeking information identified under this section must be eligible to receive the information pursuant to District of Columbia and federal privacy laws.

## **802 SERVICE OF NOTICES OR ORDERS**

802.1 Any notice or order served under the authority of this chapter shall be properly served upon the person to whom the notice is directed if a copy of the notice or order is served upon him or her personally, or if a copy of the notice or order is mailed postage prepaid to the last known address of the person to be notified and the copy is not returned by the Postal Service authorities.

802.2 For the purpose of this chapter, with respect to any person licensed by the District to operate a motor vehicle or whose motor vehicle is registered in the District, the term “last known address” shall mean the most recent address shown on the records of the Department.

802.3 Proof of service of any notice or order in the manner specified by this section shall be made by the certificate or affidavit of any officer, employee, or agent of the District, naming the person on whom the notice or order was served and specifying the time, place, and manner of service.

802.4 The Chief of the Metropolitan Police Department or his or her agent shall take such action as may be necessary to serve any notice or order issued under the authority of the Act and the provisions of this chapter on the person affected by the notice or order.

## **803 (REPEALED)**

## **804 SUSPENSION OF REGISTRATION AND LICENSE: UNSATISFIED JUDGMENT**

804.1 (REPEALED)

804.2 (REPEALED)

804.3 (REPEALED)

804.4 (REPEALED)

804.5 (REPEALED)

804.6 (REPEALED)

804.7 (REPEALED)

804.8 (REPEALED).

804.9 (REPEALED)

804.10 Any person whose license and registration, or nonresident's operating privilege has been suspended, is about to be suspended, or shall become subject to suspension under the provisions of the Act because of an unsatisfied judgment arising out of the ownership, maintenance, or use of a vehicle, may be relieved from the requirements of the Act and this chapter by proof satisfactory to the Director that, at the time of the accident upon which the judgment has been rendered, the person was insured pursuant to the Act or pursuant to § 800.5 of this chapter.

**SOURCE:** Final Rulemaking published at 30 DCR 4757, 4766 (September 16, 1983).

## **805 PROOF OF FINANCIAL RESPONSIBILITY**

805.1 Whenever any person is required to give proof of financial responsibility, that person shall give proof for each and every motor vehicle of which that person is the owner or in which that person has or will acquire an ownership interest.

805.2 For purposes of the Act, the requirement to submit proof of financial responsibility shall be satisfied by submission of a form customarily used by the insurance industry for that purpose including, but not limited to, the SR-22.

805.3 A requirement of proof of financial responsibility shall remain in effect from the date ordered until the person requests that the Director cancel the requirement of proof of financial responsibility and under any one of the following conditions:

(a) A period of three (3) years has expired from the date the proof of financial responsibility was required and the person has given the Director evidence satisfactory to the Director of the following:

- (1) That the person has not been convicted of, or forfeited bail on, an offense which is listed in §§ 37 or 39 of the Act;
- (2) That there is no pending action for damages based upon a liability action which is covered by the proof of financial responsibility;

- (3) That there is no unsatisfied judgment based upon a liability action which is covered by the proof of financial responsibility; and
  - (4) That the person has not been involved within one (1) year immediately preceding the request for cancellation, in any motor vehicle accident resulting in injury to any person or damage to property of any person;
- (b) The person required to furnish the proof of financial responsibility has died;
- (c) The person required to furnish the proof of financial responsibility has become permanently incapacitated and has surrendered his or her license. The permanent incapacity of the person required to furnish the proof shall be proven by the certification of at least two (2) physicians licensed to practice medicine in the District of Columbia, or, in the case of a nonresident, two (2) physicians licensed in the District of Columbia or in the state in which the nonresident resides; or
- (d) The person required to furnish the proof of financial responsibility shall surrender his or her license and registration to the Director. If that person applies for a license or registration within three (3) years from the date the proof of financial responsibility is required, the license or registration shall be denied unless that person furnishes proof of financial responsibility for the remainder of the three (3) year period.

805.4 In the case of an insurance company not authorized to do business in the District of Columbia whose insured is not a resident of the District or the vehicle insured is not registered in the District, the company shall meet the requirements of § 55 of the Act.

805.5 A certificate of financial responsibility shall contain the following:

- (a) The full name and address of the insured;
- (b) The policy number and effective dates of the insurance policy;
- (c) The operator's license number of the insured; and
- (d) A designation by explicit description or by appropriate reference of all vehicles with respect to which coverage is thereby granted.

805.6 Whenever a change of coverage is required, a notice of the change of coverage shall be filed with the Director. That notice shall contain all the information described in § 805.5 with respect to the original insurance certificate.

806 (REPEALED)

807 SELF-INSURERS

- 807.1 Any person in whose name twenty-six (26) or more motor vehicles are registered in the District may qualify as a self-insurer by applying to the Director for a certificate of self-insurance.
- 807.2 The Director shall require that the applicant furnish a financial statement and other pertinent information on a form prescribed by the Director.
- 807.3 If the Director is satisfied that the applicant has and will continue to have the ability to pay benefits in the amounts specified by the Act, the Director may issue a certificate authorizing that person to act as a self-insurer for property damage, for bodily injury, or for personal injury protection benefits.
- 807.4 For the purpose of satisfying the requirements of the Act and the No-Fault Insurance Act, each self-insurer approved by the Director shall file an agreement that, with respect to accidents occurring while the certificate of self-insurance is in effect, the self-insurer will pay the same monetary amounts that an insurance company would have been obliged to pay under an owner's motor vehicle insurance policy if an insurance company had issued a motor vehicle insurance policy to the insurer.
- 807.5 A certificate of self-insurance shall be effective for a period of one (1) year from the date of issuance.
- 807.6 After not less than five (5) days notice and a hearing, if requested, pursuant to that notice, the Director may revoke a certificate of self-insurance for any reasonable grounds including, but not limited to, the following:
- (a) Failure to pay any required benefits within thirty (30) days after the notice of injury:
  - (b) Failure to own and register the required number of motor vehicles;
  - (c) Financial inability of the self-insurer; and
  - (d) Failure of the self-insurer to pay an assessment levied pursuant to the No-Fault Act and rules issued by the Superintendent of Insurance.